SECOND AND THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-2018-0077 Damac Commercial

DISTRICT: 1

REQUEST: Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7712 FM 969 (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to neighborhood commercial – mixed use (LR-MU) combining district zoning for Tract 1 and townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning on Tract 2. On Tract 2, the Conditional Overlay is for a maximum of 45 dwelling units and restricts the number of units per building to three.

DEPARTMENT COMMENTS:

The rezoning ordinance reflects Council action taken at First reading.

A petition has been filed against this rezoning request, and stands at 15.14% of eligible property owners.

OWNER: Damac Real Estate Investment Group (Saqib Ali)

AGENT: Ausland Architects (Kennedy Whitely)

DATE OF FIRST READING: First reading approved on November 29, 2018. Vote: 9-0. [Pool- 1st, Houston- 2nd. Alter – Off the dais, Troxclair – Absent]

CITY COUNCIL HEARING ACTION:

February 7, 2019:

November 29, 2018: To grant LR-MU combining district zoning on a portion of the property (350 feet from FM 969 right-of-way) and SF-6-CO combining district zoning on the remainder of the property was approved on 1st reading. Vote: 9-0. [Pool- 1st, Houston- 2nd. Alter – Off dais, Troxclair- Absent.]

November 15, 2018: To grant postponement as requested by Council to November 29, 2018, (10-0). [Garza- 1st, Pool- 2nd. Troxclair- Off dais.]

November 1, 2018: To grant postponement as requested by Applicant to November 15, 2018, (10-0). [Houston- 1st, Troxclair- 2nd. Pool- Off dais.]

CITY COUNCIL DATE: February 7, 2019

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin
e-mail: heather.chaffin@austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0077 – Damac Commercial DISTRICT: 1

ZONING FROM: SF-2 TO: Tract 1: LR-MU; Tract 2: SF-6-CO
(As Amended 11/27/2018)

ADDRESS: 7712 FM 969

SITE AREA: 22.84 Acres

PROPERTY OWNER/APPLICANT:
Damac Real Estate Investment Group
(Saqib Ali)

AGENT:
Ausland Architects
(Kennedy Whiteley)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:
Staff supports the Applicant's amended rezoning request. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

October 16, 2018: *TO GRANT LR-MU FOR THE FIRST 200 FEET OF THE PROPERTY AS MEASURED FROM THE FRONT PROPERTY LINE, AND TO LEAVE THE REMAINDER OF THE PROPERTY AS SF-2. (7-1) [B. Greenberg- 1st, D. King- 2nd; B. Evans- Nay; N. Barrera-Ramirez, D. Breithaupt, S. Lavani- Absent]*

COMMISSION ALSO REQUESTS THAT STAFF CONTACT THE TEXAS HISTORICAL COMMISSION REGARDING THE POSSIBILITY OF ARTIFACTS ON THE PROPERTY.

CITY COUNCIL ACTION:

February 7, 2019:
November 29, 2018: To grant LR-MU district zoning on a portion of the property (350 feet from FM 969 right of way) and SF-6-CO district zoning on the remainder of the property was approved on 1st reading only, (9-0). [Pool- 1st, Houston- 2nd. Alter – Off dais, Troxclair- Absent.]
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November 1, 2018: To grant postponement as requested by Applicant to November 15, 2018, (10-0). [Houston- 1st, Troxclair- 2nd. Pool- Off dais.]

ORDINANCE NUMBER:

ISSUES:

On November 27, 2018, the Applicant formally amended the rezoning request for this property. Previously the Applicant requested GR-MU for approximately the front half of the tract, and SF-6 for the remainder. The revised request is to rezone the front 350 feet of the property to LR-MU and SF-6-CO for the remainder. The conditional overlay would set a maximum of 45 dwelling units on the SF-6-CO portion, with no more than three residences per building. Staff supports this request.

Neighbors of the property have stated that there are properties in the area that have been identified as archeologically significant. Per Code, the City cannot require an archeological survey via zoning or site plan review. Staff contacted the Texas Historical Commission Staff who stated that no artifacts have been identified on the property or vicinity.

Although it was previously recommended by Staff, TxDOT has confirmed that right-of-way dedication is not required at this time.

A petition has been filed against this rezoning request, and stands at 15.14% of eligible property owners.

CASE MANAGER COMMENTS:

The subject property is located on the north side of FM 969 between Johnny Morris Road and Decker Lane. The property is undeveloped and is currently zoned SF-2. Immediately to the north are properties zoned SF-2 that include single family residences and undeveloped acreage. Further north is a mobile home park zoned MH. Immediately to the north and east are properties zoned SF-2 that include single family residences and undeveloped acreage. An artist studio space is also located to the east and is also zoned SF-2. Further to the east, across Rodgers Lane is more SF-2 that is developed with residences and undeveloped acreage. An undeveloped LR-MU-CO property is also located east of Rodgers Lane. Immediately adjacent to the subject property to the south are properties zoned SF-2 and LR. The SF-2 tract includes undeveloped acreage and a single family residence. The LR tract is developed with a convenience store. Further south, across FM 969, are properties with a mix of zoning, including GR, LR, CS-1, CS, and SF-2. These properties contain the following land uses: undeveloped, convenience store, liquor store, construction sales and services, and single family residential, respectively. West of the rezoning tract is a single family residential neighborhood that is zoned SF-3 and two undeveloped properties zoned LR. The property has frontage on FM 969, which is designated as an Activity Corridor in the Imagine Austin Plan. ***Please see Exhibit A - Zoning Map.***

The subject property contains a small creek and a pond, as well as significant tree coverage. Topography on the site on the site is varied and includes elevations ranging from 530’ to 460’. The southwest corner of the property is located within the 100 year floodplain. The property is located in the Walnut Creek watershed, which will make any redevelopment subject to Suburban watershed regulations. ***Please see Exhibits B and C - Aerial Exhibit and Topographic Exhibit.***

The Applicant proposes developing the site with a 10.4 acre commercial center along the FM 969 frontage (Tract 1) that will include a variety of commercial and office uses. The rear of the property (Tract 2) is proposed to be developed with 12.44 acres of townhouse/ condominium use. The Applicant has stated that GR-MU zoning is needed in order to

develop the site since it is heavily constrained by environmental features. NOTE: On November 27, 2018, the Applicant formally amended the rezoning request for this property to rezone the front 350 feet of the property to LR-MU and SF-6-CO for the remainder. The conditional overlay would set a maximum of 45 dwelling units on the SF-6-CO portion, with no more than three residences per building. Staff supports this request.

Staff does not support the Applicant's original rezoning request. While there are commercially zoned and used properties across FM 969, the rezoning tract is surrounded almost entirely by SF-2 and SF-3 on the north side of FM 969. The commercial properties on the south side of FM 969 are mostly land uses that were annexed into the City. There are very few commercially zoned properties on the north side of the road between Johnny Morris Road and Decker lane. These properties are much smaller than the proposed 10.4 acres of GR-MU and are zoned LR or LR-MU-CO. These LR and LR-MU-CO sites do not extend further than 350' from the FM 969 frontage—the Applicant is proposing that the GR-MU portion of the site extend back approximately 820'.

Staff recommends LR-MU for the first 350' as measured from the front property line and SF-6 for the remainder of the property. GR-MU is not suitable for this location because it permits many uses that are too intense to be surrounded by single family residential. While the site is subject to compatibility requirements and Suburban watershed regulations, the possibility of 60' tall buildings and a 1:1 floor-to-area ratio are out of scale with surrounding uses and the character of the area. Finally, Staff recommends maintaining a similar depth of commercial zoning along the FM 969 frontage. The deepest LR zoned tracts in the area extend 350' from their frontages. Staff supports SF-6 for the property in part due to the environmental constraints on the property. Under a more restrictive residential zoning category, development of the site would require construction of a small street and subdivision into lots. SF-6 allows clustering of units which would allow development to work around the natural features. SF-6 would allow more units to be constructed and utilize a shared driveway, which requires less impervious cover and allows more flexible design.

Staff has received correspondence in opposition and support of the rezoning request. A Valid Petition has been filed against this rezoning request. The petition currently stands at 22.07% of eligible property owners. ***Please see Exhibits D and E – Correspondence and Valid Petition Request.***

BASIS OF RECOMMENDATION:

Staff supports the rezoning request as amended November 27, 2018.The request for this property is to rezone the front 350 feet of the property to LR-MU and SF-6-CO for the remainder. The conditional overlay would set a maximum of 45 dwelling units on the SF-6-CO portion, with no more than three residences per building.

1. Zoning should allow for reasonable use of the property.

Tract 1 is appropriate for commercial development since it is located along an Activity Corridor and could provide valuable services to this isolated area. However, Staff does not support GR-MU zoning on Tract 1 because the intensity of land uses is not compatible with the surrounding residential properties. LR-MU allows a wide variety of retail, services, and office uses that are more suitable adjacent to residential properties.

Regarding Tract 2, the subject property faces environmental challenges: significant topography, numerous trees, a pond and small creek. These features would make it difficult

to develop the site with traditional residential zoning, which would require subdivision and street construction. Unlike traditional single family/duplex zoning, SF-6 allows clustering of units and driveways, which typically have lower impact.

2. The proposed zoning should be consistent with the goals and objectives of the City Council.

The property is located along an 'Activity Corridor' (MLK/FM 969), which is characterized by a variety of activities and buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The proposed rezoning would provide improved access to retail, employment, community services for the area, as well as add variety to available housing stock.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2	Undeveloped
North	SF-2, MH	Undeveloped, Single family residence, mobile home park
South	SF-2, LR, GR-CO, CS-1, CS	Undeveloped, single family residence, convenience store, Liquor sales, Construction sales and services
East	SF-2, LR-MU-CO	Single family residences, Art studio, Undeveloped
West	SF-2, LR, SF-3	Undeveloped, Single family residences

NEIGHBORHOOD PLANNING AREA: N/A TIA: N/A

WATERSHED: Walnut Creek (Suburban)

NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Del Valle Community Coalition
Agave Neighborhood Association
Friends of Austin Neighborhoods
Austin Neighborhoods Council
Friends of Northeast Austin
SELTexas
Sierra Club
Neighbors United for Progress
Claim Your Destiny Foundation

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0076 Roger Juice Bar 5201 Rogers Lane	SF-2 to LR	04/07/2013: Approve LR-MU-CO (STAFF) with added condition of no drive-thru services as accessory use	Apvd ord # 20131003-078 for (LR-MU-CO) w/prohibited uses: service station, <300 vpd, drive through, and no vehicular access to 969.

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0080 Gyro Plus LLC	LR-CO, SF-2 To GR	09/20/11; Apvd GR-CO (staff) – CO limits site to <2,000 vpd	Apvd ord # 20111215-076 for (GR-CO) as recommended by ZAP

EXISTING STREET CHARACTERISTICS:

Name	**ROW**	**Pavement**	**Classification**	**Sidewalks**	**Bicycle Route**	**Capital Metro (within ¼ mile)**
FM 969	94’	50	Major Arterial, 6 Lanes Divided	No	No	No

OTHER STAFF COMMENTS:

COMPREHENSIVE PLANNING

The property is also located outside the boundaries of an adopted Neighborhood Planning Area. The proposal calls for retail uses (10.4 acres for Tract 1) and residential units (12.44 acres for Tract 2.) within the project area.

Connectivity - The Walkscore is 41/100, Car Dependent, meaning most errands require a car. There are no public sidewalks or designated bike lanes in the area. There is a CapMetro transit stop located .90 miles to the west. There are no existing urban trails within a mile of this site.

Imagine Austin - The property is located along an ‘Activity Corridor’ (MLK/FM 969), which is characterized by a variety of activities and buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following policies are also relevant to this case:

- LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon this property: (1) being located along an Activity Corridor that supports a mixture of uses, including residential and commercial uses; and (2) the Imagine Austin policies above that supports a mix of uses along corridors, including commercial and residential, the proposed project appears to be support the policies and Growth Concept Map of the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits if more restrictive than allowed by zoning. Note: SF-6 impervious cover limit of 55% is lower than watershed limits; therefore the 55% limit would apply. LR zoning would be the same as zoning (80%) and GR zoning would be reduced to 80% as well.

Development Classification	**% of Gross Site Area**	**% of Gross Site Area with Transfers**
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.
SP 2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Compatibility Standards

SP 4. The site is subject to compatibility standards, along all property lines (excepting the portion adjacent to the LR property to the south) frontage. The following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining

properties from views of parking, mechanical equipment, storage, and refuse collection.

 For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.

 An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

 A landscape area at least 25 feet in width may be required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

TRANSPORTATION

TR1. Per Scott James, the traffic impact analysis for this site was waived until the time of site plan because additional details of the proposed development are needed. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113. LDC. 25-6-113.

TR2. At the time of submittal of any site plan on the Property, a traffic impact analysis ("TIA") is required if the proposed development or uses on the Property, considered cumulatively with all existing or previously authorized development and uses, generates traffic that exceeds 2,000 trips per day.

Existing Street Characteristics:

Name	**ROW**	**Pavement**	**Classification**	**Sidewalks**	**Bicycle Route**	**Capital Metro (within ¼ mile)**
FM 969	94'	50	Major Arterial, 6 Lanes Divided	No	No	No

WATER UTILITY

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map
B. Aerial Exhibit
C. Topographic Exhibit
D. Correspondence
E. Valid Petition Request

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

EXHIBIT A

ZONING CASE#: C14-2018-0077

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN · FOUNDED 1839 ·

Created: 1/17/2019

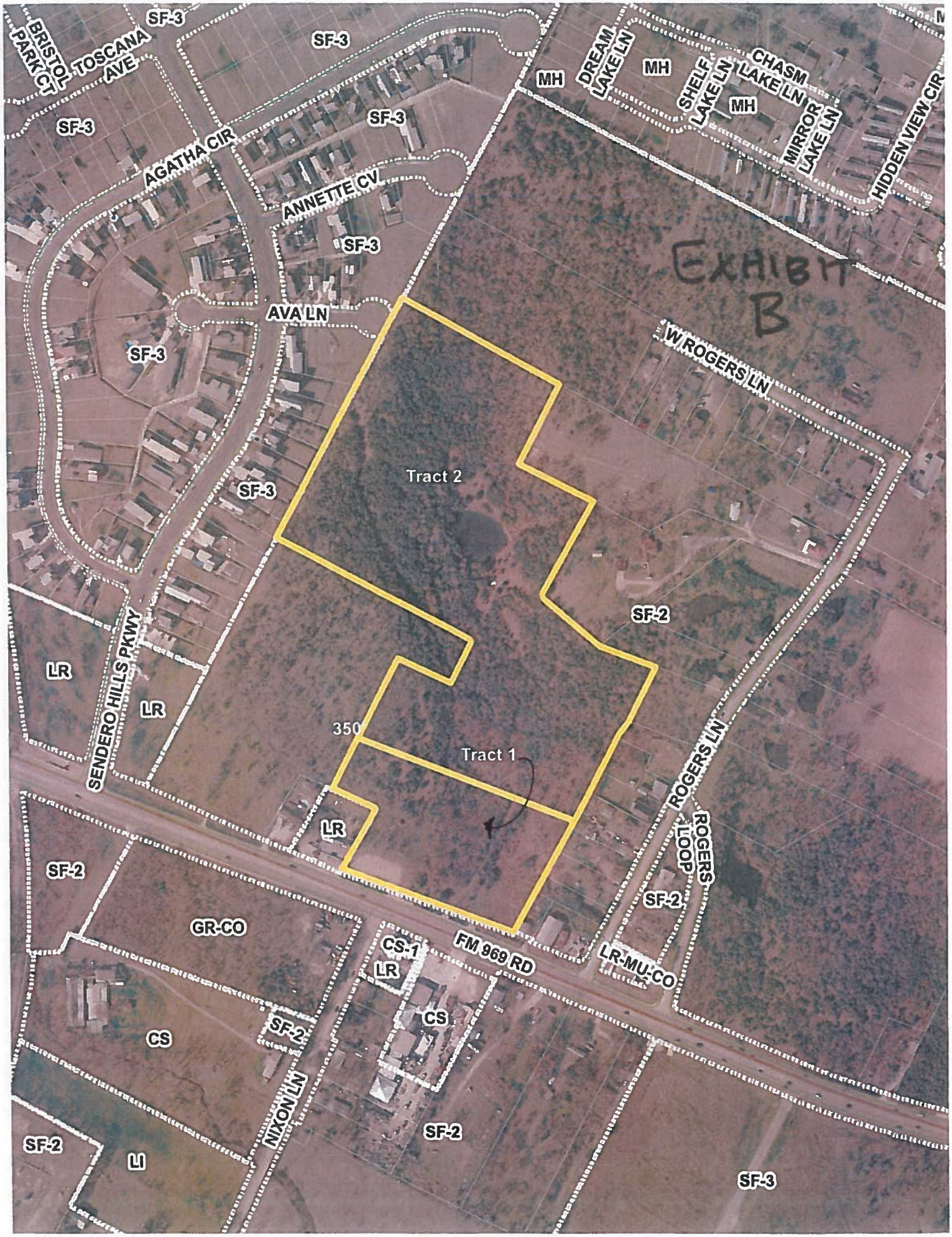
EXHIBIT B
Tract 2
Tract 1
350
W ROGERS LN
ROGERS LN
ROGERS LOOP
FM 969 RD
SENDERO HILLS PKWY
AGATHA CIR
ANNETTE CV
AVA LN
BRISTOL PARK CT
TOSCANA AVE
DREAM LAKE LN
SHELF LAKE LN
CHASM LAKE LN
MIRROR LAKE LN
HIDDEN VIEW CIR
NIXON LN
SF-3
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MH
LR
LR-MU-CO
GR-CO
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CS-1
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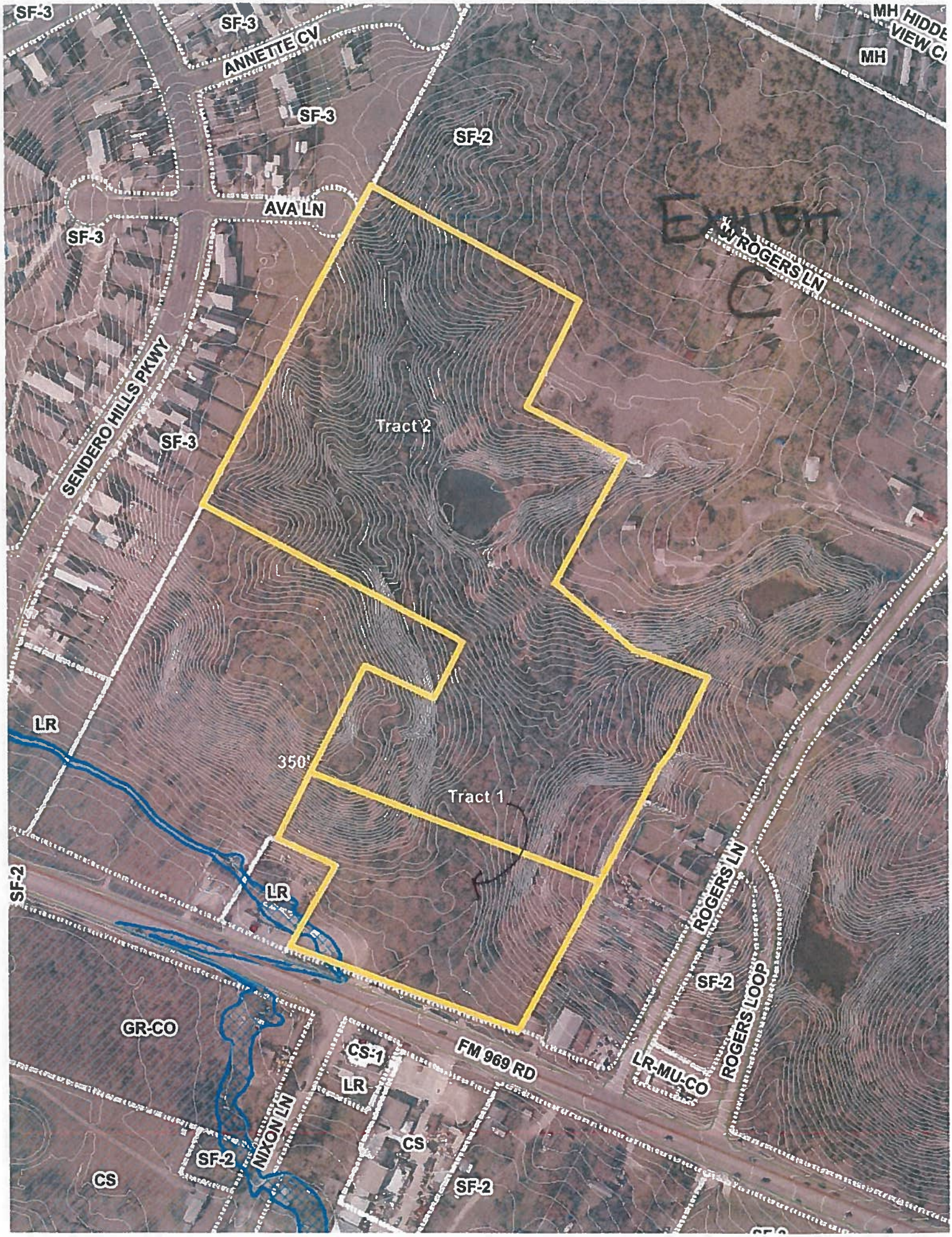
SF-3
SF-3
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AVA LN
SF-3
ROGERS LN
SENDERO HILLS PKWY
SF-3
Tract 2
LR
350'
Tract 1
SF-2
LR
ROGERS LN
SF-2
ROGERS LOOP
GR-CO
CS-1
FM 969 RD
LR-MU-CO
LR
NIXON LN
CS
SF-2
CS
SF-2

Chaffin, Heather

Subject: FW: Case Number C14-2018-0077

EXHIBIT D

From: William Baxter
Sent: Saturday, August 04, 2018 4:28 PM
To: Chaffin, Heather; Martha Drayton
Subject: Case Number C14-2018-0077

Hi Heather,

Last week we received a notice of filing of application for rezoning for the above case number. We live at 7401 Ava Lane, on the Agave cul-de-sac that abuts the property seeking rezoning.

We are extremely concerned that this development may include an exit to Agave, which would destroy the existing character of the Agave neighborhood by turning our cul-de-sac into a thoroughfare. I do see in the permit documentation one reference to a plan that does not include exit from the rezoned area through Agave. How can we best register our extremely strong preference for a plan that does not include exit via Agave?

One more question arises for us. Why is it appropriate to rezone this property to SF-6 when everything around it is SF-2?

Thank you for your prompt attention to this matter.

Sincerely,

William Baxter
Martha Drayton
7401 Ava Lane
Austin TX 78724

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0077
Contact: Heather Chaffin, 512-974-2122
Public Hearing: October 16, 2018, Zoning and Platting Commission
November 01, 2018, City Council

PAUL
Your Name (please print)

☐ **I am in favor**
☒ **I object**

7305 AVA LANE
Your address(es) affected by this application

PAUL — 10/01/18
Signature — *Date*

Daytime Telephone: 512-999-8707

Comments: STATISTICALLY, SPEAKING, THERE IS LESS CRIME IN SF-2 ZONING AND SO WE WOULD LIKE TO MAINTAIN THIS ZONING. THANK YOU

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2018-0077
Contact: Heather Chaffin, 512-974-2122
Public Hearing: October 16, 2018, Zoning and Platting Commission
November 01, 2018, City Council

Samantha Collingsworth
Your Name (please print)

☒ **I am in favor**
☐ **I object**

7313 Ava Lane, Austin, TX 78724
Your address(es) affected by this application

Signature 10/2/2018 *Date*

Daytime Telephone: (918) 282-7881

Comments: In favor of this project; particularly when other options include another useless investment such as a church, or "single-family homes" that turn out to be a trailer park!

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Case Number: C14-2018-0077
Contact: Heather Chaffin, 512-974-2122
Public Hearing: October 16, 2018, Zoning and Platting Commission
November 01, 2018, City Council

MADISON GRAHAM, AIA
Your Name (please print)

☐ **I am in favor**
☐ **I object**

7313 ANNETTE COVE 78724
Your address(es) affected by this application

Signature 10/2/2018 *Date*

Daytime Telephone: 512-925-1351

Comments: PLEASE CONSIDER THE FOLLOWING:
(1) ALL STREET CONNECTIONS ONLY TO MLK/969 — NOT TO EXIST. RES. STREETS - SUCH AS AVA CIRCLE.
(2) TRAFFIC STUDY?? IMPACT?
(3) TRAFFIC SIGNAL AT MLK & SENDERO HILLS IS REQUIRED NOW.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

Chaffin, Heather

Subject: FW: Rezoning of 7712 FM 969; Case # C14-2018-0077

From: Chaffin, Heather
Sent: Tuesday, October 16, 2018 4:05 PM
To: 'Parker Hyink'
Subject: RE: Rezoning of 7712 FM 969; Case # C14-2018-0077

I'm sorry about that! I will print copies and hand them out to the Commissioners before the meeting.

From: Parker Hyink
Sent: Tuesday, October 16, 2018 3:01 PM
To: Chaffin, Heather
Subject: Rezoning of 7712 FM 969; Case # C14-2018-0077

Hi Heather,
I was reviewing the case file for the rezoning of 7712 FM 969; Case # C14-2018-0077 which is on the agenda for zoning and planning meeting tonight.
I noticed that my response was not included in the objection letters
It is rather late but I figured I would go ahead and e-mail it to you on the off chance that it could be included.

Name: Parker Hyink
Stance: I Object
Address: 5318 Rogers Lane
Daytime Telephone: 512-963-6145
Comments:
SF-6 and GR-MU are not appropriate for the property located at 7712 FM 969. There are no traffic lights, public transit options or sidewalks on the surrounding stretch of FM 969 to support these higher density zonings. Traffic entering and exiting the Sendero Hills neighborhood without a traffic light is already an issue. Zoning for portions of the property adjacent to FM 969 should not be zoned GR-MU considering the proximity to SF-3 and SF-2 neighborhoods in the area. At a maximum, a zoning of LR-MU for a limited portion of the property adjacent to 969 and the rest being SF-2 or SF-3 is appropriate.

Thank you for your time

-Parker Hyink

Chaffin, Heather

Subject: FW: 969 case # C14-2018-0077

From: Pliny Fisk III
Sent: Wednesday, September 26, 2018 1:50 PM
To: Chaffin, Heather
Cc: Gail Vittori
Subject: 969 case # C14-2018-0077

Dear Ms Chaffin

good talking to you today

-- It has come to our attention as neighbors that there is a proven and very prolific archaeological site quite close to the land being considered - both pieces the archeological site and the rezoning piece being considered are both on a ridge that overlooks the colorado river - understandably an excellent camp site location - Harley Hitchcock the adjacent land owner has found bushels of artifacts that have been proven rare - to the point that the University of Texas has offered substantial money for this - but being his home he did not want the university and stunts on his land

Please contact me for more information if needed

Pliny Fisk

--
Pliny Fisk III M.Arch, M.L.Arch
Professor Emeritus, Texas A&M University
Co-Director + Co-Founder
Center for Maximum Potential Building Systems
8604 FM 969 | Austin, TX 78724
p 512.928.4786

Check us out in National Geographic!

Chaffin, Heather

From: John Terlizzi
Sent: Thursday, October 18, 2018 11:28 AM
To: Chaffin, Heather
Subject: FM969 Zoning - C14-2818-0077

Heather,

Thanks again for the call. My personal concerns having my property at 5349 Sendero Hills Pkwy boarder the land that is projected to be rezoned is as follows

- visual privacy
- noise control
- security

These three concerns I believe can be addressed with having a set amount of the current vegetation left intact coupled by a concrete wall on the opposite side (east).

Appreciate you bring up these concerns for review in the meeting. Thanks in advance.

Best,

John Terlizzi

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2018-0077
Contact: Heather Chaffin, 512-974-2122
Public Hearing: October 04, 2018, Zoning and Platting Commission
November 01, 2018, City Council

Catherine Mas
Your Name (please print)

☐ I am in favor
☑ I object

5337 Sendero Hills Parkway
Your address(es) affected by this application

Signature

10-11-2018
Date

Daytime Telephone: (512) 769-3399

Comments: We purchased this home two months ago, after growing tired of the constant construction and dense urban development of our previous home in Central/East Austin. We had hoped that moving East of 183 would provide some peace and respite from the densing and constant construction upheval, but it seems no matter where we move, these types of issues follow. We are not against development of this land, but hope the commission will align the development w/ the current single-family dwellings.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

Chaffin, Heather

Subject: FW: Validity of Petition Against Rezoning of 7712 FM 969

From: Chuck Oerter
Sent: Monday, October 29, 2018 10:04 AM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: E Grace Kramer < >; Hyink Parker < >; Jo Ann Hackett < >; Martha Drayton < >; Ryann Ford < >
Subject: Re: Validity of Petition Against Rezoning of 7712 FM 969

Thanks, Heather. I have no doubt that neighbors appreciate your work. I want to be clear just in case there's any misunderstanding, but the overwhelming majority of the people who live in Agave are very sensitive to development Andy just clear the other neighborhoods are as well . As an example, there was considerable concern regarding the church development adjacent to Sendero Hills. The concern regarded a large parking lot with 24 hour security lights immediately adjacent the backyard people living on Sendero Hills. We are all aware of the reality but that land will eventually be developed. All we ask is that that development be aware and considerate to the people that live in this part of town. As I'm sure you already know, there is broad diversity but, regardless of which neighborhood, nearly everyone agrees the land must be developed in a way that is sensitive to the people that already live here.

I had wanted to talk to Sam He was eager to do so, at least initially. He thought he might have a chance to convince me to take my name off the petition. In reality, what I wanted to do was to convince him to develop tastefully and the clusters plan is simply not it. I might still try to contact him but I want to consult with all the people involved in this too at least make an effort to convince him that he will do well to develop the property under the SF 2 limitations. The problem here is (and I believe this is the central issue) he wants carte blanche approval. His plans are vague and yet he wants city Council to approve them. I would hope that the council insists that he present blueprints before approving anything. At first I thought he was naïve and inexperienced. I know longer believe that he is naïve. Trying to convince an elderly lady to give him what he wanted bothered me. Manipulating the elderly is not a good sign. He told the previous president of the neighborhood association that he would develop very tastefully and was wanting to purchase a home in our neighborhood. Great. He's also telling us that what he really wants to do is put in his own personal horse ranch on the north side. Great. Get it in writing. I have no doubt City Council will approve that.

I have a very busy schedule and will be out of town quite a bit next couple weeks but I will try to take the time to get signatures from the people on the east side of Sendero Hill's up to Ava Ln and hopefully no later than Friday.

Again, thanks Heather.

On Mon, Oct 29, 2018 at 9:07 AM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:

> Also, you may wish to contact City Council members prior to November 1st. You can contact any/all of them; CM Ora Houston is the representative for your district.
>
> https://www.austintexas.gov/government
>
> https://www.austintexas.gov/email/all-council-members
>
> **From:** Chaffin, Heather
> **Sent:** Monday, October 29, 2018 9:02 AM
> **To:** 'Chuck Oerter' >; E Grace Kramer

Cc: Hyink Parker ; Jo Ann Hackett < >; Ryann Ford < >
Subject: RE: Validity of Petition Against Rezoning of 7712 FM 969

If you want to come by with Mrs. Steaples I am available today after 11:00 until 5:00, and 9:00 to 5:00 on Tuesday.

Regarding time frame: you still have lots of time to add signatures. The 10 day limit is for us (the City) to create a petition; since this one is already created, we only need to modify it. This can happen up until the day of 3rd reading. I think it can happen up until the item is heard for 3rd reading, but I need to double check.

Reminder- Zoning cases are heard for 1st, 2nd and 3rd readings. The 3rd reading is the final, details can change before then. This item is scheduled for 1st reading only on November 1st. It cannot be heard for 3rd reading on that date; it will happen at a later meeting. The remaining City Council dates for this year are November 15, November 29, and December 13. We don't have the 2019 schedule yet.

You may also request a postponement of the item. It's not a hard rule, but the general rule (90% of the time) is that the neighborhood and the applicant each get their first postponement request automatically. Additional postponements are harder to predict.

Let me know how you want to move forward.

Heather

From: Chuck Oerter <c>
Sent: Saturday, October 27, 2018 1:18 PM
To: E Grace Kramer < >
Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Hyink Parker < >; Jo Ann Hackett < >; Ryann Ford < >
Subject: Re: Validity of Petition Against Rezoning of 7712 FM 969

If you truly did not understand what she was signing, it sounds like exploitation to me.

On Sat, Oct 27, 2018 at 1:13 PM E Grace Kramer < > wrote:

> Wow! Thank you, Parker. I wondered if it was her. Since all of her property is bordering his, that would be a large percentage. Sam has been pressuring me by email. Interested to hear the outcome. Grace
>
> On Sat, Oct 27, 2018, 1:51 PM Parker Hyink < > wrote:
>
> > Heather, I spoke to my neighbor Mrs. Oneta Steaples this morning regarding the petition. Mrs. Steeples is an elderly woman probably in her 80s. She asked me if "that man came by trying to get you to sign his paper?" She seemed unclear on exactly what she signed and the implications. She told me that she thought she was simply signing to acknowledge that she had seen Sams plans and did not understand that by signing Sam's paper she was withdrawing her name from Graces original petition. She said she never would have signed if she had known that was the case. She told me she "felt uneasy about it all night."
> >
> > Considering that during my phone conversations with Sam he has been pressuring me to remove my name from the petition, I am not confident that Sam fairly and fully explained to her his plans and the significance of signing his paper.

Rather than speak for her, I would like to take off work and drive her down to your office early next week so that she can explain everything in her own words. I don't want any impression that she is being directed or coerced one way or another. I can make time available to bring her at any point that is most convenient to you.

This is very important to me. Please let me know when we can come by.

Thank you

-Parker Hyink

Chaffin, Heather

Subject: FW: 7712 FM 969 Rezoning Application

From: E Grace Kramer
Sent: Monday, October 29, 2018 9:06 AM
To: Chaffin, Heather
Cc: Hyink Parker < >; Jo Ann Hackett < >; Martha Drayton; Pliny Fisk III; Jennifer; Chuck Oerter
Subject: Re: 7712 FM 969 Rezoning Application

Good morning, Heather. My husband and I are definitely in support of the ZaP recommendations. The only difference in our petition and the ZaP recommendation is 200 feet from 969 being zoned LR-MU. It is our understanding that the remaining land would remain SF-2. I am still in Pennsylvania, so cannot go to other neighbors with a new petition.

However, I am very disturbed by Mr. Ali's approach to all of us and particularly with my immediate neighbor Mrs. Steaples. Her property and ours are the largest tracts of residential land adjacent to 7712 FM 969. She is a frail elderly woman and was dupped into signing something she didn't understand.

If it is not possible for Parker Hyink to bring her to your office prior to meeting, for you to hear her story, would you please call her at 512-933-9065? If not, maybe she can go to City Council meeting with Parker and tell her story.

I agree with Chuck in our appreciation of your help and support during this process. This is not anything I have ever done before, but I feel very passionate about the land being discussed. We have lived on Rogers hill for 34 years, and this land has been an undisturbed natural sanctuary. For someone to come along and "bulldoze" their way through to destroy that appals me.

One last thing. Why hasn't Travis CAD been updated to show the new owner? Last I checked it was still showing A&C Ventures LP. Has the land actually transferred ownership to Mr. Ali or Mr. Whiteley?

Again, thank you! Our neighborhood representatives, copied on this email, have worked very hard to protect our interests and will continue to do so to the end. Grace

On Fri, Oct 26, 2018, 1:09 PM Chuck Oerter <> wrote:

> Heather
>
> I can confirm that all the neighbors that I spoke to university supportive of the ZaP recommendations. I've been meaning to thank you prior to this for your help and support but will take you up to now to say thank you to you. Let us know if you have any other recommendations.
>
> Chuck
>
> On Fri, Oct 26, 2018 at 11:02 AM Chaffin, Heather <Heather.Chaffin@austintexas.gov> wrote:
>
> > Good morning Grace,
> >
> > We have the case name as Damac Commercial in our online computer tracking system, reports, etc. because that is the project name that was submitted by the Applicant. I see that the name of the property owner is " Danmac Real Estate Investment Group" in some places in the application packet, but is "Damac Real Estate Investment Group" in others. These differences were apparently a typo; I just confirmed with the owner that

"Damac" is the correct spelling, so no changes are needed that will affect the case moving forward. We cannot correct the forms (they were paper copies) but we can update it in our computer tracking system (administrative, not substantive).

The maps you are referring to are sketches provided by the Applicant, and the differences you reference do not affect the official City of Austin exhibits that have been provided to the Commission and Council. The official zoning map just shows the entire area, as is standard City practices, and is attached as Exhibit A to the Staff report. There are 2 other exhibits attached, B and C that show the different tracts; these are unofficial but provided for information. http://www.austintexas.gov/edims/document.cfm?id=309100

I have checked with my Council Liason, and he verified that these are not things that can delay the case.

Is it possible that you can send me a separate document stating that you and many of your neighbors support the ZAP recommendation? That may be very helpful. You may also want to consider revising your Valid Petition request, since it states opposition to any zoning other than SF-2 on the property.

Let me know any other questions,

Heather

From: E Grace Kramer < >
Sent: Friday, October 26, 2018 9:52 AM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Chuck Oerter < >; Hyink Parker < >; Pliny Fisk III < >; Jo Ann Hackett < >;; Martha Drayton < >
Subject: 7712 FM 969 Rezoning Application

Heather, I'd like your help with a technical matter. I feel that these things noted below are misleading to City Council and have the potential that we may have to start this process over.

Would you please correct the name of Damac throughout the application & subsequent paperwork? Since the original written application from owner clearly indicates Damac, I believe it is a ZaP keying error and should not be Danmac in your files. I found the incorrect name Danmac seven times in the forms you provided to me.

Would you please correct the Survey Map showing the rezoning request of GR-MU for 10.4 acres and SF-2 for the upper acreage. The upper section should show SF-6, which is being requested by the landowner.

Besides the correction from SF-2 to SF-6 on the Survey Map, I believe the upper section should also reflect 12.44 acres associated with that zoning. Only then can City Council see the two proposed parcels that equals the total current two parcels of 22.84 acres. Not sure how someone goes about separating land that way but that's for another day.

Thank you for your help with these matters. Simply corrections to the existing paperwork. Without these changes, I envision a "mis-trial" of sorts. But more importantly, it is Damac, not Danmac, and it is SF-6, not SF-2.

We are still out of state but the neighborhood reps are very active against the original rezoning. However, we are in consensus with ZaP's recommendation that 200 feet from 969 be zoned LR-MU and the remaining land remains SF-2.

Thanks for your time. Grace

EXHIBIT E

MEMORANDUM

TO: **Mayor and City Council**

FROM: **Gregory I. Guernsey, Director**
Planning and Zoning Department

DATE: **October 29, 2018**

RE: **Damac Commercial**
C14-2018-0077
Valid Petition Request - Updated

****

A Valid Petition request has been filed regarding the above referenced rezoning request and has been updated twice since the initial filing. The original request was filed on August 20, 2018. Analysis by the City's GIS Mapping Division verified that the petition had 25.94% of eligible signatures. On October 25, 2018, Staff received a document withdrawing two signatures from the petition request. This left the petition request at 15.74% of eligible signatures. On October 29, 2018 one of those property owners decided to put their signature back onto the original petition request bringing it back up to 23.21%. Therefore, the petition request currently meets the threshold of 20% to be considered a Valid Petition.

The original petition request and the two modifications are attached for your review. As stated above, the current petition is dated October 29, 2018. If you have any questions about this item, please contact Assistant Director Jerry Rusthoven at (512) 974-3207.

Gregory I. Guernsey, Director
Planning and Zoning Department

xc: Spencer Cronk, City Manager
Joe Pantalion, Acting Assistant City Manager

Case Number:

C14-2018-0077

PETITION

Original Petition Request

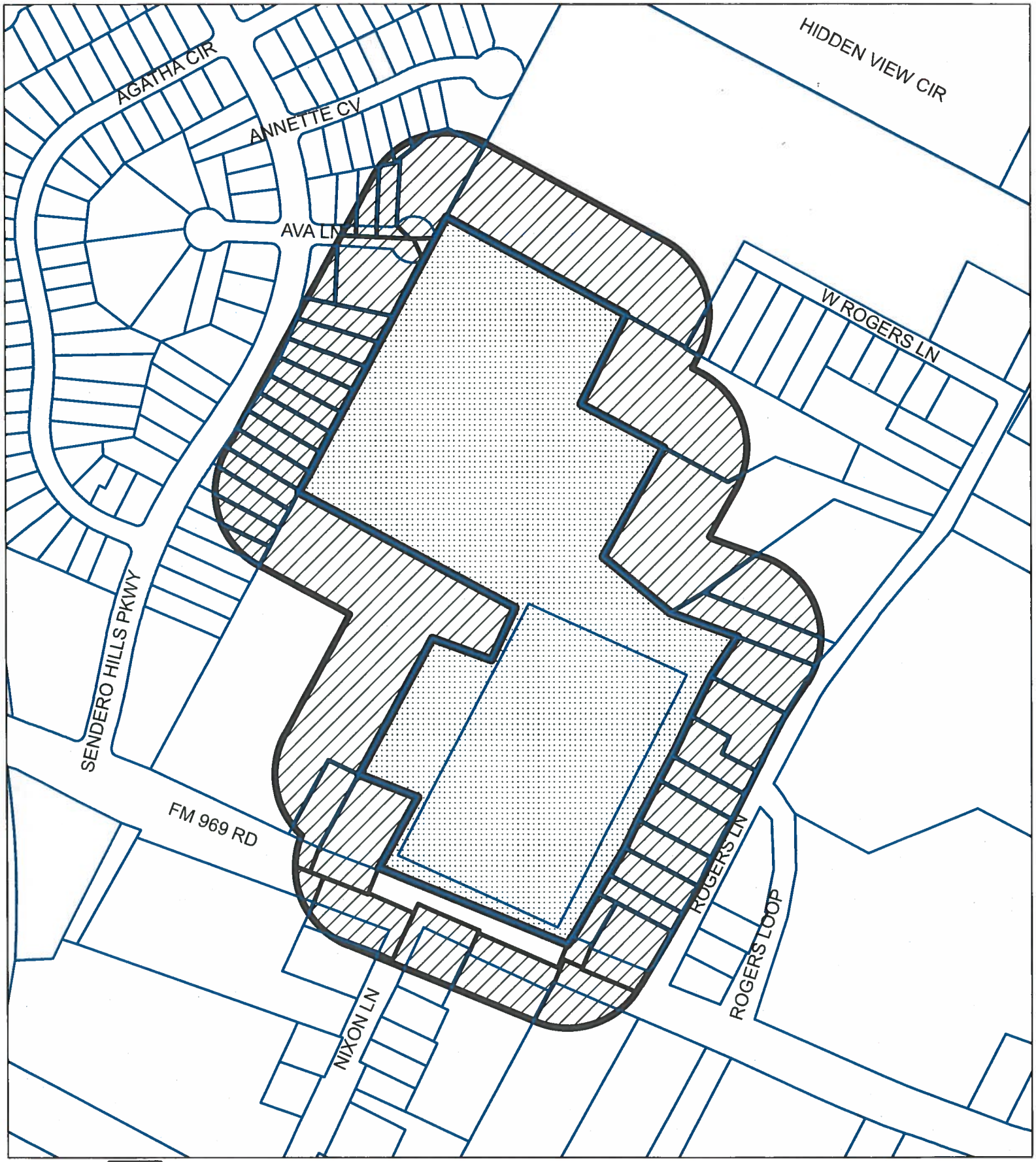
Date: 8/20/2018

Total Square Footage of Buffer: 1115395.797

Percentage of Square Footage Owned by Petitioners Within Buffer: 25.94%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0213330514	7405 ANNETTE CV 78724	AGAVE SENDERO INVESTMENTS LTD	no	492.89	0.00%
0213330512	7321 ANNETTE CV 78724	AGAVE SENDERO INVESTMENTS LTD	no	389.80	0.00%
0213330502	7416 AVA LN 78724	AGAVE SENDERO INVESTMENTS LTD	no	34570.02	0.00%
0213330619	7409 AVA LN 78724	AGAVE SENDERO INVESTMENTS LTD	no	31745.77	0.00%
0213330511	7317 ANNETTE CV 78724	AGAVE SENDERO INVESTMENTS LTD	no	1116.96	0.00%
0213330618	7401 AVA LN 78724	BAXTER WILLIAM & MARTHA DRAYTON	no	4765.46	0.00%
0211330106	7608 F M RD 969 78724	BENITEZ JOSE GONZALEZ & AMELIA SOLIS ROSAS	no	18285.33	0.00%
0210310148	4708 ROGERS LN 78724	BROWN YOLANDA T	no	126032.01	0.00%
0211330110	5214 ROGERS LN 78724	CALHOUN CLARENCE	no	21152.15	0.00%
0211330109	5216 ROGERS LN 78724	CALHOUN MARGIE	yes	13292.87	1.19%
0213330615	5341 SENDERO HILLS PKWY 78724	COGGESHALL JAMES LOWELL	yes	11241.83	1.01%
0210310112	7711 W ROGERS LN 78724	CRESPO MILDRED R & GAYLE L SWEETLAND	no	2903.90	0.00%
0213330608	5313 SENDERO HILLS PKWY 78724	DUNN KENNETH N	no	10352.41	0.00%
0210310132	5300 ROGERS LN 78724	ERB MELANIE	no	25820.60	0.00%
0213330610	5321 SENDERO HILLS PKWY 78724	FISCHER STEVEN D & MARIE A	no	10213.74	0.00%
0211330107	7900 F M RD 969 78724	FUDGE DAVID GEORGE	no	9280.48	0.00%
0211330306	7801 F M RD 969 78724	GABALA CORPORATION	no	24195.58	0.00%
0213330613	5333 SENDERO HILLS PKWY 78724	GLAVAN JAMES	yes	10162.68	0.91%
0213330510	7313 ANNETTE CV 78724	GRAHAM MADISON REID & FLOY ELIZABETH ALTHAUS	no	489.12	0.00%
0211330414	NIXON LN 78725	GYRO PLUS LLC	no	27369.84	0.00%
0211330413	F M RD 969 78725	GYRO PLUS LLC	no	4013.18	0.00%
0211330415	5106 NIXON LN 78725	GYRO PLUS LLC	no	1145.67	0.00%
0213330503	7412 AVA LN 78724	HACKETT JO ANN & JOHN HUEHNERGARD	no	9086.74	0.00%
0213330607	5309 SENDERO HILLS PKWY 78724	HARRISON BERNARD MITCHELL & MICHAELE E HITE	no	8087.36	0.00%
0211330311	7901 F M RD 969 78724	HAUSE JANET	no	22770.39	0.00%
0210310150	ROGERS LN 78724	HITCHCOCK MRS STONEWALL ETAL % LANEILLA ATWILL	no	24831.97	0.00%
0210310125	5400 ROGERS LN 78724	HITCHCOK H M JR & LYNDA GAYLE	yes	26829.57	2.41%
0210310130	5318 ROGERS LN 78724	HYINK PARKER THOMAS & AMY ANN	yes	23591.36	2.12%
0210310139	7604 F M RD 969 78724	IGLESIA CAMINO DEL REY OF AUSTIN INC	no	191648.84	0.00%
0211330108	5222 ROGERS LN 78724	JACKSON MARY	no	16867.70	0.00%
0211330103	5208 ROGERS LN 78724	KLEIHEGE MELISSA K	no	15012.55	0.00%
0211330104	5206 ROGERS LN 78724	KLEIHEGE MELISSA K	no	10120.22	0.00%
0210310129	5414 ROGERS LN 78724	KRAMER M ANDY & E GRACE E GRACE KRAMER	yes	77347.01	6.93%
0213330605	5301 SENDERO HILLS PKWY 78724	LUCAS SHELLEY W	no	54.70	0.00%
0213330505	7404 AVA LN 78724	OERTER CHARLES H & LINDA D BARTOS	yes	1207.54	0.11%
0211330101	F M RD 969 78724	ROOHI JOOHI INC	no	38915.71	0.00%
0211330102	5210 ROGERS LN 78724	SCHWOEBLE JOHN FLETCHER % DEBRA K HECKLER (C/S)	no	14866.73	0.00%
0211330304	7803 F M RD 969 78725	SIMPSON CARL BRUCE & JEANETTE JEANETTE SUSAN SIMPSON	yes	30450.71	2.73%
0211330105	7904 F M RD 969 78724	SOUTHARD RANDI	no	25705.77	0.00%
0210310127	5414 B ROGERS LN 78724	STEAPLES ONETA FAY ETAL	yes	83357.40	7.47%
0213330612	5329 SENDERO HILLS PKWY 78724	STEPNOSKI ROBERT R & LORI R	no	10466.39	0.00%
0213330617	5349 SENDERO HILLS PKWY 78724	TERLIZZI JOHN J	no	12480.45	0.00%
0213330606	5305 SENDERO HILLS PKWY 78724	TEXAS INTOWNHOMES LLC	no	4284.49	0.00%
0213330609	5317 SENDERO HILLS PKWY 78724	TEXAS INTOWNHOMES LLC	no	10183.49	0.00%
0213330614	5337 SENDERO HILLS PKWY 78724	THOMPSON JESSICA M	no	10944.79	0.00%
0213330611	5325 SENDERO HILLS PKWY 78724	TUTOR BRETT	no	10337.59	0.00%
0213330504	7408 AVA LN 78724	WORTH JOSEPH R & JENNIFER M	no	5955.03	0.00%
0213330616	5345 SENDERO HILLS PKWY 78724	WRIGHT DANIELLE MYREE	yes	11839.01	1.06%
Total				**1086275.79**	**25.94%**



N

BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C14H-2018-0077

CITY OF AUSTIN FOUNDED 1839

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 " = 300 '

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

PETITION

Date: 8/20/2018

File Number: C14-2018-0077

Address of Rezoning Request: 7712 FM 969 Rd, Austin, TX 78724 (22.84 acres)

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2 (Single Family Residence) district at this time.

The application for rezoning was submitted by the new property owner Mr. Saquib Ali, Damac Real Estate Investment Group, Spring, Texas. The property is currently shown on Travis County Appraisal District as two tracts – 6.47 acres (lower tract) and 16.3672 acres (upper tract), all currently SF-2 Zoning. The rezoning request is to split the property into two tracts and rezone as follows: SF-6 Zoning (Townhouse, Condo) for the upper 12.44 acres and GR-MU Zoning (Community Commercial-Mixed Use) for the lower 10.4 acres, with access to and from FM 969.

Reasons for protest:

1. Regarding the re-surveying of the 22.84 acres:

This 22.84 acres is currently SF-2 zoning, Single Family Residence (Standard Lot) district, which is in line with what the large majority of the neighboring properties are zoned. An SF-2 district is 'intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lot patterns, as well as for development of additional single-family housing areas with minimum land requirements.'

We are against the change from two tracts of 6.47 acres and 16.37 acres to two tracts of 10.4 acres and 12.44 acres. There is adequate property with lower 6.47 acres adjacent to FM 969 for SF-2 development or potential rezoning to allow business development and access from FM 969. The upper 16.37 acres includes a large spring-fed pond, adequate property for SF-2 development, and road access is provided to this tract from FM 969. No change is warranted.

2. Regarding the proposed rezoning of the upper tract:

The proposed SF-6 zoning is a Townhouse and Condo Residence district 'intended as an area for moderate density single family, duplex, two family, townhouse, and condominium use, without the spacing and locational requirements that apply in SF-5. This district is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate.' Maximum building height is 35 feet (2 story).

We do not think that 'a transition from single-family to multifamily use is appropriate.' As mentioned, a large majority of the neighboring properties are currently occupied by single-family properties with many residents and property owners of over 30 years. Many established neighbors have large lots, many with acreage, and

have maintained a sense of "simple country living" for years. Gentrification may occur for these long-term property owners. Further, the rezoning proposal does not show access from FM 969 is being provided to this upper 12.44 acres. In fact, there is mention in the original rezoning application that access might be gained to this property from Agave through the Meadows at Trinity Crossing (Sendero Hills) neighborhood, which would provide the 'access from minor residential streets' (Sendero Hills Parkway and Ava Lane). Also, this property contains a large spring-fed pond fed from springs from adjoining properties, with no environmental study of the impact of development to this watershed.

3. Regarding the proposed rezoning of the lower tract:

The GR zoning is a Community Commercial district 'intended for office and commercial uses serving neighborhood and community needs, with access from major traffic ways.' This GR zoning for the existing lower 6.47 acres may be appropriate for FM 969 access and for the neighborhood. However, GR-MU zoning category with the MU zoning attachment allows "mixed use" for the proposed larger 10.4 acres This means everything from GR is permitted, plus residential uses (including multifamily).

We are against the addition of the MU zoning to this lower tract. When you add –MU attachment to a base zoning district (GR, etc.), it adds residential as a permitted use. GR zoning district doesn't have an official limit on number of residential units because usually residential use is not allowed. The MU zoning site development regulations are: Maximum building height is 60 feet, which usually mean 4-stories, depending on some design issues; front setback is 10 feet; rear and interior setback is zero feet or 25 feet wherever it is adjacent to single family property; maximum impervious cover can be 80%; and maximum building cover can be 75%.

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Since our neighborhood does not contain any of the MF-4 zoning criteria, we are against the idea of potentially having a complex of 4-story apartments, with up to 54 units per acre, 25 feet from our adjoining properties. This rezoning would have a potential detrimental effect on our neighborhood's current single-family property values, would cause additional cut-through automobile traffic on our "minor street" neighborhoods, and would cause additional pedestrians walking along FM 969 without any bus routes. This is a safe rural-modern-suburban single-family neighborhood, and we feel that the proposed rezoning is not appropriate at this time.

Summary:

We understand the value of property ownership in this area and are not against development by the new property owners. We are against the rezoning of a large tract of currently undeveloped land, which is not in line with approximately 188 neighbors affected by this change. In addition, environmental water studies and gentrification studies on the effect to long-term residence should be done. Please note that this rezoning application and use of property is NOT for Austin SMART Housing development.

RE: Petition Against Rezoning – 7712 FM Rd 969, Austin, TX 78724

[PLEASE USE BLACK INK WHEN SIGNING PETITION]

SIGNATURE	PRINTED NAME	ADDRESS
M. Andy Kramer	M. Andy Kramer	5414 Rogers Ln Austin, TX 78724
Oneta Steaples	Oneta Steaples	5414B Rogers Ln Austin, TX 78724
B. C Pittman	Benny Pittman	5416 Rogers Ln Austin, TX 78724
Lynda G Hitchcock	Lynda Gayle Hitchcock	5401 Rogers Ln Austin, TX 78724
Lynda G Hitchcock	Lynda Gayle Hitchcock	5403 Rogers Ln Austin, TX 78724
Lynda G Hitchcock	Lynda Gayle Hitchcock	5400 Rogers Ln Austin, TX 78724
Parker T. Hyink	Parker Hyink	5318 Rogers Ln Austin, TX 78724
Margie Calhoun	Margie Calhoun	5216 Rogers Ln Austin TX 78724
Modesta R. Hidrogo	M.R. Hidrogo	5500 Rogers Ln.
Angelina Pineda	Angelina Pineda	7713 W. Rogers Ln Austin TX 78724
Mary C Bowen	Mary C Bowen	7809 W. Rogers Ln Austin TX 78724
Magdalena Luviano	Magdalena Luviano	7901 W. Rogers Ln Austin TX 78724
Magdalena Luviano	Magdalena Luviano	7903 W. Rogers Ln Austin, TX 78724
Martha Drayton	Martha Drayton	7401 Ava Lane Austin, TX 78724
James Glavan	James Glavan	5333 Sendero Hills Pkwy. AUSTIN, TX 78724
Chuck Dexter	Chuck Dexter	7404 Ava Ln Austin, Tx 78724
	Ryann Ford	7400 Ava Ln. AUSTIN TX 78724

RE: Petition Against Rezoning – 7712 FM Rd 969, Austin, TX 78724

SIGNATURE	PRINTED NAME	ADDRESS

Date Filed: 8/20/2018

Contact Name: Grace Kramer

Phone Number: 512-928-4990

PETITION

Date: 8/20/2018

File Number: C14-2018-0077

Address of Rezoning Request: 7712 FM 969 Rd, Austin, TX 78724 (22.84 acres)

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2 (Single Family Residence) district at this time.

The application for rezoning was submitted by the new property owner Mr. Saquib Ali, Damac Real Estate Investment Group, Spring, Texas. The property is currently shown on Travis County Appraisal District as two tracts – 6.47 acres (lower tract) and 16.3672 acres (upper tract), all currently SF-2 Zoning. The rezoning request is to split the property into two tracts and rezone as follows: SF-6 Zoning (Townhouse, Condo) for the upper 12.44 acres and GR-MU Zoning (Community Commercial-Mixed Use) for the lower 10.4 acres, with access to and from FM 969.

Reasons for protest:

1. Regarding the re-surveying of the 22.84 acres:

This 22.84 acres is currently SF-2 zoning, Single Family Residence (Standard Lot) district, which is in line with what the large majority of the neighboring properties are zoned. An SF-2 district is 'intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lot patterns, as well as for development of additional single-family housing areas with minimum land requirements.'

We are against the change from two tracts of 6.47 acres and 16.37 acres to two tracts of 10.4 acres and 12.44 acres. There is adequate property with lower 6.47 acres adjacent to FM 969 for SF-2 development or potential rezoning to allow business development and access from FM 969. The upper 16.37 acres includes a large spring-fed pond, adequate property for SF-2 development, and road access is provided to this tract from FM 969. No change is warranted.

2. Regarding the proposed rezoning of the upper tract:

The proposed SF-6 zoning is a Townhouse and Condo Residence district 'intended as an area for moderate density single family, duplex, two family, townhouse, and condominium use, without the spacing and locational requirements that apply in SF-5. This district is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate.' Maximum building height is 35 feet (2 story).

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We are against the addition of the MU zoning to this lower tract. When you add –MU attachment to a base zoning district (GR, etc.), it adds residential as a permitted use. GR zoning district doesn't have an official limit on number of residential units because usually residential use is not allowed. The MU zoning site development regulations are: Maximum building height is 60 feet, which usually mean 4-stories, depending on some design issues; front setback is 10 feet; rear and interior setback is zero feet or 25 feet wherever it is adjacent to single family property; maximum impervious cover can be 80%; and maximum building cover can be 75%.

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Since our neighborhood does not contain any of the MF-4 zoning criteria, we are against the idea of potentially having a complex of 4-story apartments, with up to 54 units per acre, 25 feet from our adjoining properties. This rezoning would have a potential detrimental effect on our neighborhood's current single-family property values, would cause additional cut-through automobile traffic on our "minor street" neighborhoods, and would cause additional pedestrians walking along FM 969 without any bus routes. This is a safe rural-modern-suburban single-family neighborhood, and we feel that the proposed rezoning is not appropriate at this time.

Summary:

We understand the value of property ownership in this area and are not against development by the new property owners. We are against the rezoning of a large tract of currently undeveloped land, which is not in line with approximately 188 neighbors affected by this change. In addition, environmental water studies and gentrification studies on the effect to long-term residence should be done. Please note that this rezoning application and use of property is NOT for Austin SMART Housing development.

[PLEASE USE BLACK INK WHEN SIGNING PETITION]

SIGNATURE	PRINTED NAME	ADDRESS
C Bruce Simpson	C Bruce Simpson	7803 FM 969 Austin, TX 78724

Date Filed: 8/20/2018

Contact Name: Grace Kramer

Phone Number: 512-928-4990

PETITION

Date: _____

File Number: C14-2018-0077

Address of Rezoning Request: 7712 FM 969 Rd, Austin, TX 78724 (22.84 acres)

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2 (Single Family Residence) district at this time.

The application for rezoning was submitted by the new property owner Mr. Saqib Ali, Damac Real Estate Investment Group, Spring, Texas. The property is currently shown on Travis County Appraisal District as two tracts – 6.47 acres (lower tract) and 16.3672 acres (upper tract), all currently SF-2 Zoning. The rezoning request is to split the property into two tracts and rezone as follows: SF-6 Zoning (Townhouse, Condo) for the upper 12.44 acres and GR-MU Zoning (Community Commercial-Mixed Use) for the lower 10.4 acres, with access to and from FM 969.

Reasons for protest:

1. Regarding the re-surveying of the 22.84 acres:

This 22.84 acres is currently SF-2 zoning, Single Family Residence (Standard Lot) district, which is in line with what the large majority of the neighboring properties are zoned. An SF-2 district is 'intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. This district is appropriate for existing single-family neighborhoods having moderate sized lot patterns, as well as for development of additional single-family housing areas with minimum land requirements.'

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We do not think that 'a transition from single-family to multifamily use is appropriate.' As mentioned, a large majority of the neighboring properties are currently occupied by single-family properties with many residents and property owners of over 30 years. Many established neighbors have large lots, many with acreage, and have maintained a sense of "simple country living" for years. Gentrification may occur for these long-term property owners. Further, the rezoning proposal does not show access from FM 969 is being provided to this upper 12.44 acres. In fact, there is mention in the original rezoning application that access might be gained to this property from Agave through the Meadows at Trinity Crossing (Sendero Hills) neighborhood, which would provide the 'access from minor residential streets' (Sendero Hills Parkway and Ava Lane). Also, this property contains a large spring-fed pond fed from springs from adjoining properties, with no environmental study of the impact of development to this watershed.

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Since our neighborhood does not contain any of the MF-4 zoning criteria, we are against the idea of potentially having a complex of 4-story apartments, with up to 54 units per acre, 25 feet from our adjoining properties. This rezoning would have a potential detrimental effect on our neighborhood's current single-family property values, would cause additional cut-through automobile traffic on our "minor street" neighborhoods, and would cause additional pedestrians walking along FM 969 without any bus routes. This is a safe rural-modern-suburban single-family neighborhood, and we feel that the proposed rezoning is not appropriate at this time.

Summary:

We understand the value of property ownership in this area and are not against development by the new property owners. We are against the rezoning of a large tract of currently undeveloped land, which is not in line with approximately 188 neighbors affected by this change. In addition, environmental water studies and gentrification studies on the effect to long-term residence should be done. Please note that this rezoning application and use of property is NOT for Austin SMART Housing development.

[PLEASE USE BLACK INK WHEN SIGNING PETITION]

SIGNATURE	PRINTED NAME	ADDRESS
	James Coggeshall	5341 Sendero Hills Pkwy

Date Filed: 08/26/18

Contact Name: Chuck Oerter

Phone Number: 512-293-5987

PETITION

Date: 04/21/2018

File Number: C14-2018-0077

Address of Rezoning Request: 7712 FM 969 Rd, Austin, TX 78724 (22.84 acres)

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2 (Single Family Residence) district at this time.

The application for rezoning was submitted by the new property owner Mr. Saqib Ali, Damac Real Estate Investment Group, Spring, Texas. The property is currently shown on Travis County Appraisal District as two tracts – 6.47 acres (lower tract) and 16.3672 acres (upper tract), all currently SF-2 Zoning. The rezoning request is to split the property into two tracts and rezone as follows: SF-6 Zoning (Townhouse, Condo) for the upper 12.44 acres and GR-MU Zoning (Community Commercial-Mixed Use) for the lower 10.4 acres, with access to and from FM 969.

Reasons for protest:

1. Regarding the re-surveying of the 22.84 acres:

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Summary:

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[PLEASE USE BLACK INK WHEN SIGNING PETITION]

SIGNATURE	PRINTED NAME	ADDRESS
Natalie Fellows	NATALIE FELLOWS	5744 PENDERO HILLS
Nathan Fellows	NATHAN FELLOWS	5744 PENDERO HILLS

Date Filed: _____

Contact Name: Chuck Oerter

Phone Number: 512-293-5987

PETITION

Date: 9/1/18

File Number: C14-2018-0077

Address of Rezoning Request: 7712 FM 969 Rd, Austin, TX 78724 (22.84 acres)

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2 (Single Family Residence) district at this time.

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[PLEASE USE BLACK INK WHEN SIGNING PETITION]

SIGNATURE	PRINTED NAME	ADDRESS
Danielle M. Wright	DANIELLE WRIGHT	5345 SENDERO HILLS PARKWY

Date Filed: 08-31-18

Contact Name: Chuck Oerter

Phone Number: 512-293-5987

PETITION

Date: _____

File Number: C14-2018-0077

Address of Rezoning Request: 7712 FM 969 Rd, Austin, TX 78724 (22.84 acres)

To: Austin City Council

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We are against the change from two tracts of 6.47 acres and 16.37 acres to two tracts of 10.4 acres and 12.44 acres. There is adequate property with lower 6.47 acres adjacent to FM 969 for SF-2 development or potential rezoning to allow business development and access from FM 969. The upper 16.37 acres includes a large spring-fed pond, adequate property for SF-2 development, and road access is provided to this tract from FM 969. No change is warranted.

2. Regarding the proposed rezoning of the upper tract:

The proposed SF-6 zoning is a Townhouse and Condo Residence district 'intended as an area for moderate density single family, duplex, two family, townhouse, and condominium use, without the spacing and locational requirements that apply in SF-5. This district is appropriate for areas in which unusually large lots predominate with access to other than minor residential streets, and in selected areas where a transition from single-family to multifamily use is appropriate.' Maximum building height is 35 feet (2 story).

We do not think that 'a transition from single-family to multifamily use is appropriate.' As mentioned, a large majority of the neighboring properties are currently occupied by single-family properties with many residents and property owners of over 30 years. Many established neighbors have large lots, many with acreage, and have maintained a sense of "simple country living" for years. Gentrification may occur for these long-term property owners. Further, the rezoning proposal does not show access from FM 969 is being provided to this upper 12.44 acres. In fact, there is mention in the original rezoning application that access might be gained to this property from Agave through the Meadows at Trinity Crossing (Sendero Hills) neighborhood, which would provide the 'access from minor residential streets' (Sendero Hills Parkway and Ava Lane). Also, this property contains a large spring-fed pond fed from springs from adjoining properties, with no environmental study of the impact of development to this watershed.

3. Regarding the proposed rezoning of the lower tract:

The GR zoning is a Community Commercial district 'intended for office and commercial uses serving neighborhood and community needs, with access from major traffic ways.' This GR zoning for the existing lower 6.47 acres may be appropriate for FM 969 access and for the neighborhood. However, GR-MU zoning category with the MU zoning attachment allows "mixed use" for the proposed larger 10.4 acres This means everything from GR is permitted, plus residential uses (including multifamily).

We are against the addition of the MU zoning to this lower tract. When you add –MU attachment to a base zoning district (GR, etc.), it adds residential as a permitted use. GR zoning district doesn't have an official limit on number of residential units because usually residential use is not allowed. The MU zoning site development regulations are: Maximum building height is 60 feet, which usually mean 4-stories, depending on some design issues; front setback is 10 feet; rear and interior setback is zero feet or 25 feet wherever it is adjacent to single family property; maximum impervious cover can be 80%; and maximum building cover can be 75%.

With -MU zoning attachment, the housing density can be comparable to MF-4 zoning density. Here is the definition for MF-4 zoning: 'Multifamily residence moderate - high density (MF-4) district is the designation for multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired.'

Since our neighborhood does not contain any of the MF-4 zoning criteria, we are against the idea of potentially having a complex of 4-story apartments, with up to 54 units per acre, 25 feet from our adjoining properties. This rezoning would have a potential detrimental effect on our neighborhood's current single-family property values, would cause additional cut-through automobile traffic on our "minor street" neighborhoods, and would cause additional pedestrians walking along FM 969 without any bus routes. This is a safe rural-modern-suburban single-family neighborhood, and we feel that the proposed rezoning is not appropriate at this time.

Summary:

We understand the value of property ownership in this area and are not against development by the new property owners. We are against the rezoning of a large tract of currently undeveloped land, which is not in line with approximately 188 neighbors affected by this change. In addition, environmental water studies and gentrification studies on the effect to long-term residence should be done. Please note that this rezoning application and use of property is NOT for Austin SMART Housing development.

[PLEASE USE BLACK INK WHEN SIGNING PETITION]

SIGNATURE	PRINTED NAME	ADDRESS
	Sylvia Miller	5338 Sendero Hills Pkwy Austin TX 78724

Date Filed: _____

Contact Name: Chuck Oerter

Phone Number: 512-293-5987

We request to remove our petition for
Case # C14H-2018-0077 at
7712 FM 969 Austin Tx

Signature	Printed Name	Address
C. Bruce Simpson	C. Bruce Simpson	7803 Fm 969, Austin TX
Oneta Staples	Oneta Staples	5414B Rogers Austin TX 78724

Received
10/25/2018
H. Chaffin

Case Number:

C14-2018-0077

PETITION

Date: 1/14/2019

Total Square Footage of Buffer: 1115395.797

Percentage of Square Footage Owned by Petitioners Within Buffer: 22.07%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Precent
0213330514	7405 ANNETTE CV 78724	AGAVE SENDERO INVESTMENTS LTD	no	492.89	0.00%
0213330512	7321 ANNETTE CV 78724	AGAVE SENDERO INVESTMENTS LTD	no	389.80	0.00%
0213330502	7416 AVA LN 78724	AGAVE SENDERO INVESTMENTS LTD	no	34570.02	0.00%
0213330619	7409 AVA LN 78724	AGAVE SENDERO INVESTMENTS LTD	no	31745.77	0.00%
0213330511	7317 ANNETTE CV 78724	AGAVE SENDERO INVESTMENTS LTD	no	1116.96	0.00%
0213330618	7401 AVA LN 78724	BAXTER WILLIAM & MARTHA DRAYTON	no	4765.46	0.00%
0211330106	7608 F M RD 969 78724	BENITEZ JOSE GONZALEZ & AMELIA SOLIS ROSAS	no	18285.33	0.00%
0210310148	4708 ROGERS LN 78724	BROWN YOLANDA T	no	126032.01	0.00%
0211330110	5214 ROGERS LN 78724	CALHOUN CLARENCE	no	21152.15	0.00%
0211330109	5216 ROGERS LN 78724	CALHOUN MARGIE	yes	13292.87	1.19%
0213330615	5341 SENDERO HILLS PKWY 78724	COGGESHALL JAMES LOWELL	yes	11241.83	1.01%
0210310112	7711 W ROGERS LN 78724	CRESPO MILDRED R & GAYLE L SWEETLAND	no	2903.90	0.00%
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0210310132	5300 ROGERS LN 78724	ERB MELANIE	no	25820.60	0.00%
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0211330107	7900 F M RD 969 78724	FUDGE DAVID GEORGE	no	9280.48	0.00%
0211330306	7801 F M RD 969 78724	GABALA CORPORATION	no	24195.58	0.00%
0213330613	5333 SENDERO HILLS PKWY 78724	GLAVAN JAMES	yes	10162.68	0.91%
0213330510	7313 ANNETTE CV 78724	GRAHAM MADISON REID & FLOY ELIZABETH ALTHAUS	no	489.12	0.00%
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0211330413	F M RD 969 78725	GYRO PLUS LLC	no	4013.18	0.00%
0211330415	5106 NIXON LN 78725	GYRO PLUS LLC	no	1145.67	0.00%
0213330503	7412 AVA LN 78724	HACKETT JO ANN & JOHN HUEHNERGARD	no	9086.74	0.00%
0213330607	5309 SENDERO HILLS PKWY 78724	HARRISON BERNARD MITCHELL & MICHAELE E HITE	no	8087.36	0.00%
0211330311	7901 F M RD 969 78724	HAUSE JANET	yes	22770.39	2.04%
0210310150	ROGERS LN 78724	HITCHCOCK MRS STONEWALL ETAL % LANEILLA ATWILL	no	24831.97	0.00%
0210310125	5400 ROGERS LN 78724	HITCHCOK H M JR & LYNDA GAYLE	yes	26829.57	2.41%
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0211330108	5222 ROGERS LN 78724	JACKSON MARY	no	16867.70	0.00%
0211330103	5208 ROGERS LN 78724	KLEIHEGE MELISSA K	no	15012.55	0.00%
0211330104	5206 ROGERS LN 78724	KLEIHEGE MELISSA K	no	10120.22	0.00%
0210310129	5414 ROGERS LN 78724	KRAMER M ANDY & E GRACE E GRACE KRAMER	yes	77347.01	6.93%
0213330605	5301 SENDERO HILLS PKWY 78724	LUCAS SHELLEY W	no	54.70	0.00%
0213330505	7404 AVA LN 78724	OERTER CHARLES H & LINDA D BARTOS	yes	1207.54	0.11%
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0213330616	5345 SENDERO HILLS PKWY 78724	WRIGHT DANIELLE MYREE	no	11839.01	0.00%
Total				**1086275.79**	**22.07%**

We Wish to Withdraw from the Petition Against Rezoning 7712 FM 969, Austin, TX Case: C14-2018-0077

Withdrawal from the petition is contingent upon the following:
Rezoning request shall be updated to reflect LR-MU for no more than 350 ft back from FM 969 and SF-6 (accompanied by a conditional overlay) for the rest of the property. The conditional overlay for the SF-6 portion shall, at a minimum, limit the total number of residences to 45 or less and limit the number of residences per building to three or less.

Address	Printed Name	Signature	Date
5318 Rogers Ln Austin, Tx 78724	Parker + Amy Hyink	Parker T. Hyink (ORIGINAL SUBMITTED PREVIOUSLY)	11/27/2018
5414 Rogers Ln Austin, TX 78724	Andy & Grace Kramer	M. Andy Kramer & Grace Kramer	1/9/2019

Received 1-25-2019 MR

Case Number:

C14-2018-0077

PETITION

Date: 1/25/2019

Total Square Footage of Buffer: 1115395.797

Percentage of Square Footage Owned by Petitioners Within Buffer: 15.14%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

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